

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO.: 05-301M
)	
Plaintiff,)	
)	
v.)	DETENTION ORDER
)	
GUSTAVO RODRIGUEZ-VIDRE,)	
)	
Defendant.)	

Offense charged:

Illegal Reentry after Deportation

Date of Detention Hearing: Initial Appearance June 16, 2005

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant is charged by Complaint with reentering the United States illegally, having been previously arrested and deported.

(2) Defendant was not interviewed by Pretrial Services. He is believed to be a native and citizen of Mexico. There is no additional information available regarding his personal history,

01 residence, family ties, ties to this District, income, financial assets or liabilities, physical/mental
02 health or controlled substance use, if any.

03 (3) Defendant's criminal history includes convictions for VUCSA, concealed weapons
04 violations, drug charges, assault, and failures to appear for hearings and to pay fines.

05 (4) BICE has placed an immigration detainer on defendant. Based on this, he does not
06 contest detention.

07 (5) Defendant poses a risk of nonappearance based on his status as a native and citizen
08 of Mexico, unknown background information, a history of failing to appear, and the immigration
09 detainer. He poses a risk of danger due to his criminal history.

10 (6) There does not appear to be any condition or combination of conditions that will
11 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
12 to other persons or the community.

13 It is therefore ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correction facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being held in custody
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 Government, the person in charge of the corrections facility in which defendant is
22 confined shall deliver the defendant to a United States Marshal for the purpose of
23 an appearance in connection with a court proceeding; and

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01 (4) The clerk shall direct copies of this Order to counsel for the United States, to
02 counsel for the defendant, to the United States Marshal, and to the United States
03 Pretrial Services Officer.

04 DATED this 16th day of June, 2005.

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07 Mary Alice Theiler
08 United States Magistrate Judge
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